



17-11

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Thomas G. Woolston

Application No. 10/824,322

Group Art Unit: 3625

Examiner: **To Be Assigned**

Filing Date: April 13, 2004

Title: Consignment Nodes

**PETITION OBJECTING TO IMPROPER THIRD-PARTY PARTICIPATION IN
EXAMINATION OF PENDING APPLICATION BY EBAY, INC, AND REQUESTING
THAT THE OFFICE EXPUNGE IMPROPER THIRD-PARTY FILING OF EBAY, INC.**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

On April 22, 2005, adjudicated willful infringer eBay, Inc. (“eBay”), filed documents in every pending patent application assigned to and owned by MercExchange, LLC (“MercExchange” or the “Patent Owner”), consisting of more than 53 pages of adversarial argument. In these filings, eBay asked that the United States Patent and Trademark Office (“the Office”) “take notice” of eBay’s broadside of contentions with respect to the validity of the

CERTIFICATE OF MAILING BY FIRST CLASS MAIL

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01 FC:1464 130.00 DA

Adjustment date: 09/16/2005 AKELLEY
06/23/2005 DEMHANU1 00000046 061050 10824322
01 FC:1464 130.00 CR

09/16/2005 AKELLEY 00000001 061050 10824322

01 FC:1463 200.00 DA

I hereby certify under 37 CFR §1.8(a) that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage on the date indicated below and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

June 20, 2005

Date of Deposit

Signature

Nancy Grant

Typed or Printed Name of Person Signing Certificate